

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2012-0077 – 718 W. Slaughter Lane    **Z.A.P. DATE:** September 4, 2012  
Rezoning

**ADDRESS:** 718 West Slaughter Lane

**OWNER & AGENT:** Reza Rezaee

**ZONING FROM:** DR                      **TO:** GO    **AREA:** 0.3 acres (13,068 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 2,000.

If the requested zoning is granted, then the Staff recommends that the Applicant and the City enter into a Restrictive Covenant which outlines that prior to issuance of a permit for a site plan, the following issues must be addressed: 1) approval of a partial release of the drainage easement; 2) approval of a site plan for the pond modifications; 3) re-verification that the pond modifications will meet dam safety requirements; and 4) the dedication of access easements over the parking area to access the pond outlet and to the north to access the pond's perimeter berm.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

September 4, 2012: *APPROVED GO-CO DISTRICT ZONING WITH CONDITIONS OF A RESTRICTIVE COVENANT WHICH OUTLINES ITEMS THAT NEED TO BE COMPLETED PRIOR TO ISSUANCE OF A PERMIT FOR A SITE PLAN, AS STAFF RECOMMENDED, BY CONSENT*  
*[P. SEEGER; C. BANKS – 2<sup>ND</sup>] (7-0)*

### **ISSUES:**

The Applicant is in agreement with the recommendation of the Zoning and Platting Commission.

### **DEPARTMENT COMMENTS:**

The subject property is located along West Slaughter Lane, west of South 1<sup>st</sup> Street and east of Palace Parkway. The parent parcel contains 1.92 acres and was platted as a drainage easement with the abutting section of Buckingham Estates. Although the rezoning area is not developed with a drainage pond as shown on the recorded subdivision, the site is encumbered with concrete channels that feed into Slaughter Lane.

The property is surrounded by the pond and duplex residential to the west and north (DR; SF-3), along with undeveloped multi-family property and an existing service station and automotive sales to the east (MF-2-CO; CS-CO, GR-CO). Across Slaughter Lane to the south, there are existing apartments, a large undeveloped multifamily tract, an office zoned tract which contains a single family residence, and commercial uses at its intersection with South 1<sup>st</sup> Street (MF-2-CO; MF-3-CO, GO-CO, GR-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant has proposed to rezone the tract to the general office (GO) district in order to construct a small medical office. Given the site's drainage purpose and features, and the required parking for a medical office use, Staff estimates the office will be 2,750 square feet at its maximum. The rezoning area in the context of the drainage pond is provided as Exhibit B.

Although development of the proposed office may be possible, it will not be as straightforward as it might seem. First, because the Applicant is proposing to reclaim some of the area initially included in the drainage pond's design, the design must change. Specifically, the pond will need to be increased in volume by approximately 5 percent. Second, although owned by the Applicant, the City will maintain the pond, along with any channels, intake and outflow infrastructure. As such, the Applicant must provide an appropriate access easement for maintenance of the facilities. Third, the embankment of the proposed pond is considered a dam, subject to State regulation for dam safety. The foregoing will impact the redesign and reconstruction of the pond. Yet, until the improvements are finished and accepted, a site plan for the office building site will not be released. As discussed with Watershed Protection Department staff and as shown in Exhibit C, the items described above will be captured in a public Restrictive Covenant that accompanies the rezoning ordinance. Given its location on an arterial roadway, proximity to office and multi-family residential development, and steps generally outlining how the redesign and reconstruction of the pond must occur, Staff supports the Applicant's request.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	DR	Undeveloped portion of a drainage easement
<i>North</i>	DR; SF-3	Pond; Duplexes within the Buckingham Estates Phase IV, Section C subdivision
<i>South</i>	Slaughter Lane; MF-2-CO; MF-3-CO; GO-MU-CO	Apartments; Undeveloped; Single family residence
<i>East</i>	DR: CS-CO; MF-2-CO	Pond; Undeveloped; Automotive sales; Service station
<i>West</i>	SF-3	Duplexes and single-family residences within the Buckingham Estates Phase IV, Section C subdivision

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association  
 242 – Slaughter Lane Neighborhood Association      511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District  
 786 – Home Builders Association of Greater Austin  
 1037 – Homeless Neighborhood Association      1075 – League of Bicycling Voters  
 1113 – Austin Parks Foundation  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1224 – Austin Monorail Project      1228 – Sierra Club, Austin Regional Group  
 1236 – The Real Estate Council of Austin, Inc.      1340 – Austin Heritage Tree Foundation  
 1363 – Sel Texas

**SCHOOLS:**

Williams Elementary School

Paredes Middle School

Akins High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0081 – Platinum Slaughter Lane – 715 West Slaughter Lane	DR to MF-3	Approved MF-3-CO w/ CO limited units to 24.88 per acre and less than 600 residential units; 11/01/2011	Approved MF-3-CO as recommended by ZAP (12/08/2011).
C14-2011-0042 – Toro Negro Lounge – 615 West Slaughter Lane	GR to CS-1	To Grant CS-1-CO with the CO prohibiting commercial off-street parking, exterminating services, guidance services and residential treatment	Approved CS-1-CO as ZAP recommended (6- 23-2011).
C14-05-0181 – Verde Stone Creek – 700 Block of West Slaughter Lane	DR to MF-2	To Grant MF-2-CO with CO for 2,000 trips per day	Approved as Commission recommended (12-15- 05).
C14-01-0106 – Jack Moore – 800 West Slaughter	DR to MF-2	To Grant MF-2-CO with CO limiting to 2,000 trips, 17 u.p.a.,	Approved MF-2-CO with CO for 2,000 trips and 17 u.p.a. (8-

Lane		25' wide vegetative buffer on east side, RC that would restrict development within 25' of a drainageway	31-02).
C14-97-0027 – Red Barn Garden Center – 620 West Slaughter Lane	GR-CO to CS-CO	To Grant CS-CO with conditions	Approved CS-CO with CO for max. F.A.R. of 0.25 to 1; 60% max. impervious cover, list of prohibited uses (6-5-97).

**RELATED CASES:**

The rezoning area represents a portion of is part of Buckingham Estates Phase IV Section C, recorded as a subdivision on March 6, 1984 (C8-83-033.1P/F), and was annexed into the City on November 15, 1984. Please refer to Exhibit D. There are no related site plan cases on the subject property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
West Slaughter Lane	120 feet	2 @ 36 feet MAD 4	Major Arterial (40,234 vpd)	Yes	Yes, Route No. 10	Yes, Route No. 86

**CITY COUNCIL DATE:** October 11, 2012**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 974-7719






## ZONING

ZONING CASE#: C14-2012-0077

*Exhibit A*



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





# C14-2012-0077 / 718 W Slaughter Lane



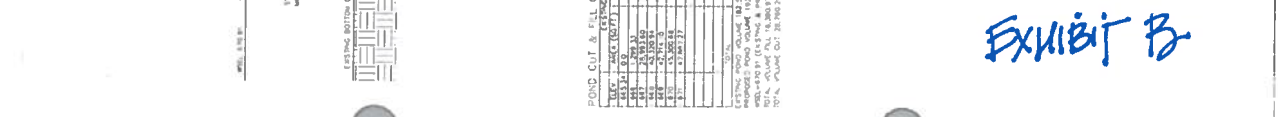
Image Data: 2009

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EXHIBIT A-1

1 inch = 200 feet







## MEMORANDUM

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**TO:** Wendy Rhoades, Case Manager, Planning & Development Review Department

**FROM:** Pamela Kearfott, PE, CFM, Watershed Protection Department *PK*

**DATE:** August 30, 2012

**SUBJECT:** C14-2012-0077, 718 Slaughter Ln

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In November 2010, Mr. Rezaee applied for a partial easement release of the drainage easement located at 718 Slaughter Ln. The drainage easement contains a detention pond and Mr. Rezaee has proposed modifications to that pond in order to create developable area on the property.

As one of the groups that review easement release requests, the Watershed Engineering Division of the Watershed Protection performed a preliminary review of the proposed modifications to the detention pond and offered the guidance below to Mr. Rezaee as items that must be addressed before the Watershed Engineering Division could reconsider the easement release request.

- Zoning changes and any other issues related to development on this property must be addressed with the appropriate City departments.
- Proposed plans for development should be discussed with the neighborhood groups in this area. Any plans to modify the existing pond may raise concerns from the neighborhood and the Watershed Engineering Division wants to be sure that they're informed of the proposed development.
- A site plan must be submitted for the pond modifications. Details of the modification will be reviewed by an engineer in the Land Use Review group. This review may result in other comments and questions about the development. All comments and questions must be cleared by the reviewer and a site plan permit must be issued.
- The pond modifications must not result in increased outflow from the pond.
- The pond modifications must result in at least a 5% increase in the detention volume of the pond.
- Because this pond has a dam structure, any modifications to the pond will require a re-verification that the pond will still meet dam safety requirements. This will need to be completed during the site plan review process.
- Access easements that meet the criteria specified in the Drainage Criteria Manual must be dedicated to the City over the proposed parking lot to the west to access the pond outlet and to the north to access the pond's perimeter berm.
- Private maintenance of the pond will be required by the Watershed Protection Department. This maintenance will include, but is not limited to, routine mowing and debris removal.

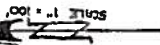
Please let me know if you have any questions or need any additional information.

*Exhibit C*



84 6515

BUCKINGHAM ESTATES  
PHASE IV SECTION C



TRANSFORMED SLOD EVALUATION			
DATE	LOT	LOT	CLASS
I	2	2	GBB + GBB +
	10	10	GBB +
	12	12	GBB +
	36	36	GBB +
	43	43	GBB +
	44	44	GBB +
	45	45	GBB +
4	4	4	GBB +
	4	4	GBB +
	4	4	GBB +
	4	4	GBB +
X	8	8	GBB +
	10	10	GBB +
	12	12	GBB +
	12	12	GBB +

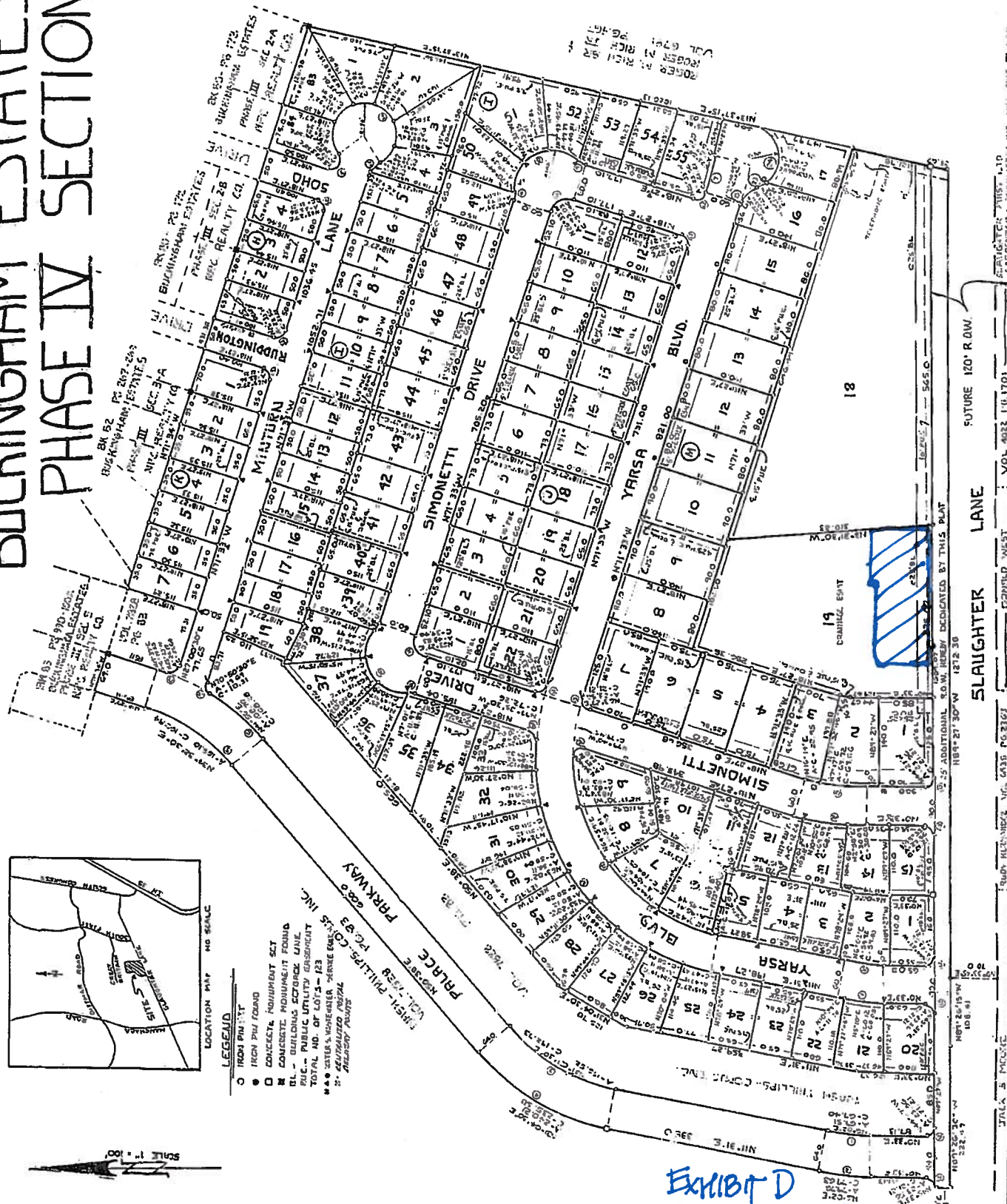
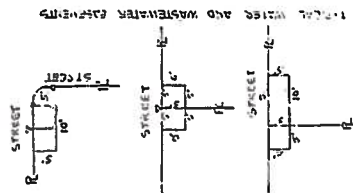


EXHIBIT D  
RECORDED PLAT

Reza Rezaee  
15212 Spillman Ranch Loop  
Austin, Texas 78738

July 27, 2012

City of Austin  
Neighbor Planning and Zoning Department  
505 Barton Springs Road  
Austin, Texas 78704

Attention: Wendy Rhoades

Subject: 718 Slaughter Lane Project: A community-based medical office building

Dear Wendy,

I applied for a partial zoning change involving 0.301 acres of a 1.920 acres land, currently used as a flood detention pond. I purchased this property in Travis County's land sale with an intention that part of it can be used to build a medical office, where my daughter and her husband, as two young physicians, can offer professional healthcare services in a South Austin community.

On November 2010, I also applied for a partial easement release proposing related pond modification plan and required engineering reports. After making the required changes in original plan, Watershed Protection Department offered its guidance in June 22, 2012, including zoning change and neighborhood planning.

The zoning application provides information on existing drainage pond, proposed modification plan, and the area subject to zoning and neighborhood planning. I would appreciate your professional guidance that facilitates requested zoning and neighborhood planning.

Thank you very much for your time and considerations.

Respectfully,

Reza Rezaee



Property Information:

Physical Address: 718 Slaughter Lane, Austin, TX 78748-1663

Legal Description: Lot # 19, BLK M, Buckingham Estates, Phase IV Section C.

Parcel ID: 04281307760000

Lot Size: 1.920 Acres = 83,635 SF

Re-Zoning Area: 0.30 Acres = 13126 SQ. FT.

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 2,000.

If the requested zoning is granted, then the Staff recommends that the Applicant and the City enter into a Restrictive Covenant which outlines that prior to issuance of a permit for a site plan, the following issues must be addressed: 1) approval of a partial release of the drainage easement; 2) approval of a site plan for the pond modifications; 3) re-verification that the pond modifications will meet dam safety requirements; and 4) the dedication of access easements over the parking area to access the pond outlet and to the north to access the pond's perimeter berm.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

*1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use.

*2. Zoning changes should promote compatibility with adjacent and nearby uses.*

Given its location on an arterial roadway, proximity to office and multi-family residential development, and steps generally outlining how the redesign and reconstruction of the pond must occur, Staff supports the Applicant's request.

**EXISTING CONDITIONS****Site Characteristics**

The rezoning area is currently a pond, with concrete channels crossing part of the property.

**Impervious Cover**

The maximum impervious cover allowed by the GO zoning district is 80%, a consistent figure between the *zoning and watershed* regulations.

**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:



<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

### **Transportation**

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**Site Plan and Compatibility Standards**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. Slaughter Lane is a future Core Transit Corridor.

The site is subject to compatibility standards. Along the north and west property lines, the following standards apply:

No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

Slaughter Lane is a scenic roadway, and this tract is subject to the Sign Ordinance [LDC, 25-10-6].

**Rhoades, Wendy**

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**From:** [REDACTED]  
**Sent:** Friday, August 31, 2012 1:13 PM  
**To:** Rhoades, Wendy

Ms. Rhoades - I am writing in response to a notice I received concerning the rezoning of 718 W. Slaughter Lane. I strongly object to this plan. While I realize that change and growth are sometimes a good thing, if developers keep getting their greedy hands on land all along Slaughter Lane, there won't be a blade of grass left on the street. Do we really need another office building? No, we don't.

Some time ago, there was another plan to rezone the land on the south side of the 700-800 block of Slaughter Lane. I don't know if that was approved for development for multi-family use or not, but that is farm land and I really don't see the need for apartments on that site.

Also, from looking at your website, case number 2011-108524 MP calls for the creation of a cocktail lounge at 615 Slaughter Lane! There probably isn't any way to stop all this development, but it is very sad that Slaughter Lane will soon be unrecognizable.

Thank you,  
Nancy Stutrud

760-B Simonetti Dr.



**Rhoades, Wendy**

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**From:** Jose Guevara ~~jjosagueva-8211@...~~  
**Sent:** Sunday, September 30, 2012 1:17 PM  
**To:** Rhoades, Wendy  
**Cc:** Jose Guevara  
**Subject:** [Released] case c14-2012-0077

Hi my name is Jose A Guevara i was recieving one notice of public hearing, im very busy, but i am in favor for the project 718 west slaughter lane case # C14-2012-0077 thanks you